

REMARKS

Applicants appreciate the time taken by the Examiner to review Applicants' present application. This application has been carefully reviewed in light of the Official Action mailed November 5, 2004. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-29 and 39-40 stand rejected as anticipated by U.S. Patent No. 6,145,001 ("Scholl").

Claim 1 recites a switch connected between "the first network and the storage area network", Claim 10 recites "formulating in the switching device a second request corresponding to the first request . . . transmitting the second request to a second device on a storage area network" and Claim 23 recites that a client is configured to generate a second request and "to transmit the second request to the device on the storage area network." These Claims share the feature that the second request is transmitted to a device on a storage area network. Applicants submit that a storage area network is a particular type of network known in the art that is designed to attach computer storage devices (e.g., disk arrays, media libraries and other storage devices) to servers.

In rejecting Claims 1 the Examiner cites to col. 2, lines 55-67, col. 3, lines 1-11 and col. Lines 59-67, col. 6, lines 1-14 and 25-34 and states that "Scholl teaches that many different networks (SNMP, SNA etc.) may be used for the first or second networks. Therefore, Scholl implicitly teach a storage area network having a second protocol, wherein the second protocol." Applicant submits, however, SNMP, SNA, DecNet etc. are types of protocols that can be used for a network but do not describe the network itself. It is not implicit from a protocol the type of network in which it is employed. Scholl therefore only teaches the use of a variety of protocols in the managed networks, but does not teach or suggest that the managed network should be a storage area network. Applicants therefore request the allowance of Claims 1, 10 and 23.

Claim 2 has been amended to recite that the first network is an out-of-band network accessible from an external network and the second network is an in band network. As described in the present application, an "out-of-band" network is typically externally accessible from an external network connected to the out-of-band network by a gateway, whereas an "in-

band” network is generally not accessible from external networks, such as the network. Consequently, the switch of Claim 2 is coupled between an out-of-band network and an in-band network.

Scholl, on the other hand, appears to teach a network management gateway that is located between an external network and a managed network. For example, in FIGURE 3 of Scholl, the web server forwards the request to the network management gateway and the network management gateway access the managed network through network access 7. It thus appears that the managed networks are externally accessible through network access 7. In the example of FIGURE 5, the network management gateway is connected to the Internet and communicates with the managed networks via the Internet. Thus, the managed network is externally accessibly from the Internet. It is therefore unclear where Scholl teaches an in-band and an out-of-band network as recited in Claim 2. Applicant respectfully requests that the Examiner clarify the rejection of Claim 2 or allow Claim 2.

Claim 3 recites that the switch comprises and HTTP server coupled to an HTTP server. The portions of Scholl cited to by the Examiner refer to an HTTP client and an HTTP server, but the HTTP client and HTTP server are not part of the switch. For example, Col. 5, lines 60-67 discuss the common interaction between a web client, a web server and a gateway. Col. 6, lines 1-14 extend this model to a client that can make a request to a web server and web server that can forward the request to a network management gateway. It does not appear that the web server 3 and web client 1 are part of the network management gateway 5 that performs protocol conversion. Col. 6, lines 25-34 discuss various protocols the network management gateway can support but do not appear to discuss whether the network management gateway provides an HTTP client and an HTTP server. Therefore, Applicants request allowance of Claim 3.

Claim 4 further recites “a default gateway separate from the switch coupled to the first network and a third network, wherein the third network comprises the Internet.” Thus, according to Claim 4, the switch is connected between a first network and a storage area network and a separate default gateway is connected between the first network and the Internet. In this case, the switch is implicitly behind the default gateway with respect to the Internet.

Scholl, conversely, appears to teach that the network management gateway acts as the gateway or resides outside of the gateway. In the example of FIGURE 3, the same device that implements protocol conversion also provides a gateway. This gateway is not separate from the network management gateway. Consequently, the gateway provided by the network management gateway is not a separate default gateway as recited in Claim 4.

Moreover, even if network access 7 of FIGURE 3 provides a separate gateway, Scholl does not teach the features of Claim 4. More particularly, if network access 7 is considered a gateway for Internet access to the managed network, then the network management gateway 5 that performs protocol conversion resides outside of the network access gateway. In this case, the network management gateway 5 is connected between the Internet and the network by which it communicates with the web server. It is not connected between a first network and a second network that are separated from the Internet by a default gateway between the first network and the second network.

In the example of FIGURE 5, the network management gateway is connected to the Internet. To the extent the managed networks have a gateway between the managed network and the Internet, the network management gateway (e.g., network management gateway 5) that performs protocol conversion is outside of the managed network's gateway. In other words, the network management gateway is not located between a first network and a second network, where the first network is connected to the Internet by a separate gateway, but is instead connected solely to the Internet. Because Scholl does not teach the features recited in Claim 4, Applicants respectfully request allowance of Claim 4.

Claim 9 recites that each request includes a keyword and "wherein the switch is configured to identify the requests as being directed to the second device by detecting the keyword." Col. 5, lines 60-67 and col. 6, lines 1-14 discuss standard routing of requests on the Internet. Col. 6, lines 44-57 discuss returning an HTML page. Applicant can not find a teaching or suggestion in these sections that a switching device, located between two networks with different protocols, should identify to which device on the second protocol a request should be sent based on a keyword in a request received over the first network. Applicant therefore requests that the Examiner more particularly point out where "the switch is configured to identify the requests as being directed to the second device by detecting the keyword" can be found or allow Claim 9.

Claim 17 recites "wherein formulating the first request comprises formulating a uniform resource locator (URL) that includes an IP address corresponding to the switching device and information identifying the subject of the request." The portions of Scholl cited by the examiner describe how requests are processed by a web server or network management gateway. The web server "recognizes the request as one to be forwarded to the appropriate gateway" but there is no discussing in the portion of Scholl cited by the Examiner as to how this recognition takes place. Thus, the portions of Scholl cited by the Examiner do not teach the URL includes an IP address corresponding to the switching device as they are silent as to what is actually

included in a request. Applicants therefore request that the Examiner point out where “formulating the first request comprises formulating a uniform resource locator (URL) that includes an IP address corresponding to the switching device” can be found or allow Claim 17.

Claim 21 recites the switching device identifying a keyword in the first request “wherein the keyword indicates the format of the information contained in the first request.” According to this feature of the present invention, the keyword indicates the manner in which information is formatted in the request. Again the Examiner cites col. 5, lines 60-67 and col. 6, lines 1-14 and lines 44-57. However, these sections of Scholl do not discuss including a keyword in the request that indicates the format of information contained in the first request. Therefore, Applicants respectfully request allowance of Claim 21.

Claim 26 recites “wherein the URL corresponding to the first request contains a URL following the key word, wherein the client is configured to produce the URL following the key word as the URL corresponding to the second request.” Applicant is unable to find any teaching in col. 5, lines 60-67 and col. 6, lines 1-14 and lines 44-57 of Scholl that suggests that the first request should contain a URL following a keyword and that the URL following the keyword should be used as the URL for a second request. Therefore, Applicants respectfully request allowance of Claim 25.

Claim 27 recites that “the server is configured to detect URLs containing a key word and the client is configured to generate new URLs corresponding to the detected URLs, wherein the new URLs do not contain the key word.” Again, col. 5, lines 60-67 and col. 6, lines 1-14 and lines 44-57 do not discuss how requests are formatted or how additional requests are generated based on the content of the first request. Therefore, Applicants respectfully request allowance of Claim 27.

Claim 39 has been amended to recite that the HTTP request includes a keyword, wherein the keyword indicates the format of information in the HTTP request. In rejecting previous Claim 40, the Examiner cited col. 7, lines 58-67 and col. 8, lines 1-14. This section states that “the Web client request is parsed and translated . . .”, however, there is no teaching or suggestion that the Web client request include a keyword that indicates the format of the information in the request. Therefore, Applicants respectfully request allowance of Claim 39.

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully

requests full allowance of the pending Claims. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

Sprinkle IP Law Group
Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'John L. Adair', is written over a horizontal line.

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